

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 05/07/2012
POSITION: Neutral

BILL NUMBER: AB 2146
AUTHOR: Cook, Paul

BILL SUMMARY: Political Reform Act of 1974: local campaign reform: County of San Bernardino.

This bill would permit the Fair Political Practices Commission (Commission) and the County of San Bernardino to enter into an agreement authorizing the Commission to assume the primary responsibility for the impartial administration, implementation, and enforcement of a local campaign finance reform ordinance passed by the Board of Supervisors (Board) of the County of San Bernardino.

FISCAL SUMMARY

This bill would permit the Commission to enter into an agreement with the County of San Bernardino to receive reimbursement for any costs incurred as a result of administering, implementing, or enforcing a local campaign finance reform ordinance pursuant to this bill. At the time of this analysis, the Commission did not have an estimate of the costs to implement the provisions of this bill. Any request for additional expenditure authority is subject to review and approval through the annual budget process.

The California Constitution requires the state to reimburse local entities for increased costs associated with any new program or higher level of service imposed by the state on local entities if the Commission on State Mandates determines that the new program or higher level of service is reimbursable and a state mandate. Any local government costs resulting from the mandate in this measure would not be state-reimbursable because the costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district.

COMMENTS

The Department of Finance is neutral on this bill because it would allow the Commission to efficiently and effectively implement and enforce a local campaign finance reform ordinance in the County of San Bernardino.

On February 28, 2012 the Board received and recorded a draft ordinance requiring the County of San Bernardino to seek state legislation authorizing the Commission to administratively and civilly enforce the ordinance.

Existing law:

- Establishes the Commission, which has the primary responsibility for the impartial administration and implementation of the Political Reform Act of 1974.
- Allows local government agencies to adopt campaign ordinances.
- Requires any jurisdiction that adopts or amends a local campaign finance ordinance to file a copy of that ordinance with the Commission.

Analyst/Principal (0222) J.Carosone	Date	Program Budget Manager Lisa Ann Mangat	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

Cook, Paul

05/07/2012

AB 2146

COMMENTS (continued)

This bill would:

- Allow the Commission and the Board of Supervisors of San Bernardino County to enter into an agreement authorizing the Commission to have primary responsibility for the impartial, effective administration, implementation, and enforcement of a local campaign finance reform ordinance passed by the Board of Supervisors of the County of San Bernardino.
- Authorize the Commission to investigate possible violations of the local campaign finance reform ordinance and bring administrative actions against violators.
- Require the Board to consult with the Commission prior to adopting or amending any local campaign finance reform ordinance that is subsequently enforced by the Commission.
- Require the Commission to report to the Legislature regarding the performance of the agreement between the Commission and the Board on or before January 1, 2017.
- Sunset on January 1, 2018 unless a later enacted state, that is enacted before January 1, 2018, deletes or extends that date.

	SO	(Fiscal Impact by Fiscal Year)					
Code/Department	LA	(Dollars in Thousands)					
Agency or Revenue	CO	PROP					Fund
Type	RV	98	FC	2011-2012 FC	2012-2013 FC	2013-2014	Code
8620/FPPC	SO	No		----- See Fiscal Summary -----			0995
8885/Comm St Mndt	LA	No		----- See Fiscal Summary -----			0001
<u>Fund Code</u>			<u>Title</u>				
0001			General Fund				
0995			Reimbursements				